

# **SCHEDULE**

# **A**

**SCHEDULE A**

**AUTHORITY FOR THE TAKING**

The property is taken under and in accordance with 40 U.S.C. §§ 3113 and 3114, which authorize the condemnation of land and the filing of a Declaration of Taking; the Act of Congress approved September 30, 1996, as Public Law 104-208, Division C, Section 102, 110 Stat. 3009-546, 3009-554-55, as amended and codified at 8 U.S.C. § 1103(b) & note; and the Act of Congress approved February 15, 2019, as Public Law 116-6, div. A, tit. II, Section 230, which appropriated the funds that shall be used for the taking.

# **SCHEDULE B**

**SCHEDULE B**

**PUBLIC PURPOSE**

The public purpose for which said property is taken is to construct, install, operate, and maintain roads, fencing, vehicle barriers, security lighting, cameras, sensors, and related structures designed to help secure the United States/Mexico border within the State of Texas.

# **SCHEDULE C**

**SCHEDULE C**

**LEGAL DESCRIPTION**

Starr County, Texas

Tract: RGV-RGC-3006

Owner: Richard L. Margo, *et al.*

Acres: 8.066

**BEING** a 8.066 acre tract (351,373 square feet) parcel of land, more or less, being out of a surveyed 67.704 acre tract, recorded in Document No. 2009-283709, Official Records of Starr County (O.R.S.C.), Texas, conveyed to Richard L. Margo, Roberto Miguel Guerra, Carlos Antonio Guerra, Fidencio Miguel Guerra, Jr., Brenda E. Guerra Arnold, Daniel Joseph Guerra, Al E. Margo, Fredrick James Margo, Virginia Gail Jones, Marilyn M. Flores, Carolyn M. Trombley and Robert James Margo, said 8.066 acre tract (351,373 square feet) parcel of land being more particularly described as follows;

**COMMENCING:** at a found 2" iron pipe, having a coordinate value of N=16676972.376, E=805977.986, said point being the northeast corner of a called 668.37 acre tract, recorded in Document No. 207111, Official Records of Starr County (O.R.S.C.), Texas, conveyed to United States of America (U.S. Fish and Wildlife Service) (Tract 633), said point being on the west line of said Richard L. Margo, et al tract;

**THENCE:** S 09°25'42" W, along the west line of said Richard L. Margo, et al tract and the east line of said U.S. Fish and Wildlife Service (Tract 633) tract, a distance of 201.95 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-3000-18=RGV-RGC-3006-1" for the **POINT OF BEGINNING**, said point having a coordinate value of N=16676773.155, E=805944.904 and being the northwest corner of the herein described proposed

**SCHEDULE C (Cont.)**

acquisition tract, said point also being N 84°01'46" W, a distance of 3352.91 feet from United States Corps of Engineers Control Point No. SS09-2019 ("B&F Engineering, Inc." aluminum cap in concrete);

**THENCE** departing the west line of said Richard L. Margo, et al tract and the east line of said U.S. Fish and Wildlife Service (Tract 633) tract and over and across said Roel Santa Maria tract the following courses;

- S 86°36'23" E, a distance of 477.14 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-3006-2" for an angle point;
- N 82°58'36" E, a distance of 500.00 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-3006-2A" for a point on tangent;
- N 82°58'36" E, a distance of 362.36 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-3006-2B" for a point on tangent;
- N 82°58'36" E, a distance of 362.36 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-3006-3= RGV-RGC-3007-16" for the northeast corner of the herein described proposed acquisition tract, said point being on the east line of said Richard L. Margo, et al tract and on the west line of a called 2.41 acre tract, recorded in Volume 585, Page 232, Deed Records of Starr County, Texas, conveyed to Ricardo Hinojosa and Thalia H. Munoz;

**THENCE:** S 21°24'25" E, along the east line of said Richard L. Margo, et al tract and the west line of said Ricardo Hinojosa and Thalia H. Munoz tract, a distance of 221.95 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-3006-4= RGV-RGC-3007-15" for the southeast corner of the herein described proposed acquisition tract;

**SCHEDULE C (Cont.)**

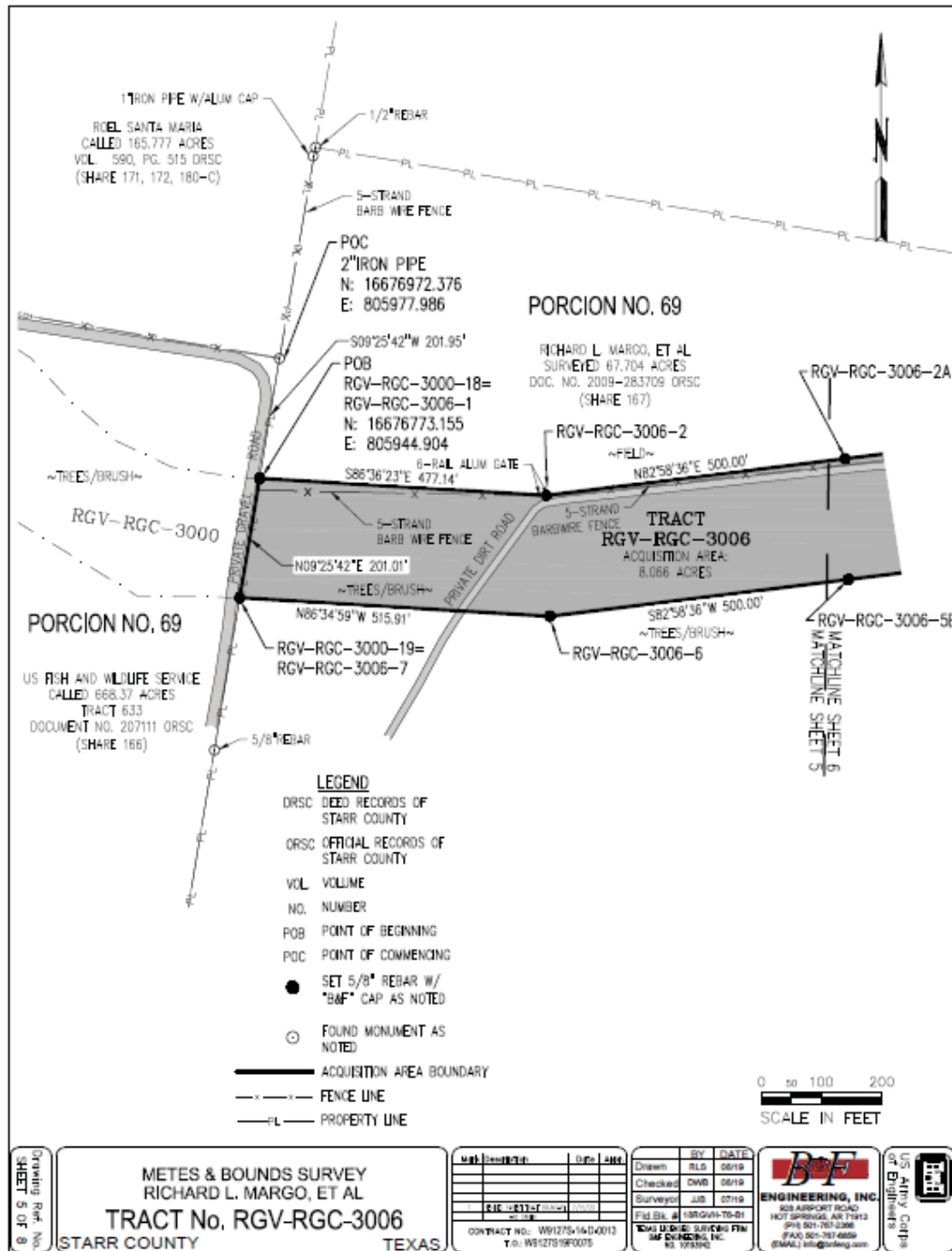
**THENCE** departing the east line of said Richard L. Margo, et al tract and the west line of said Ricardo Hinojosa and Thalia H. Munoz tract and over and across said Richard L. Margo, et al tract the following courses;

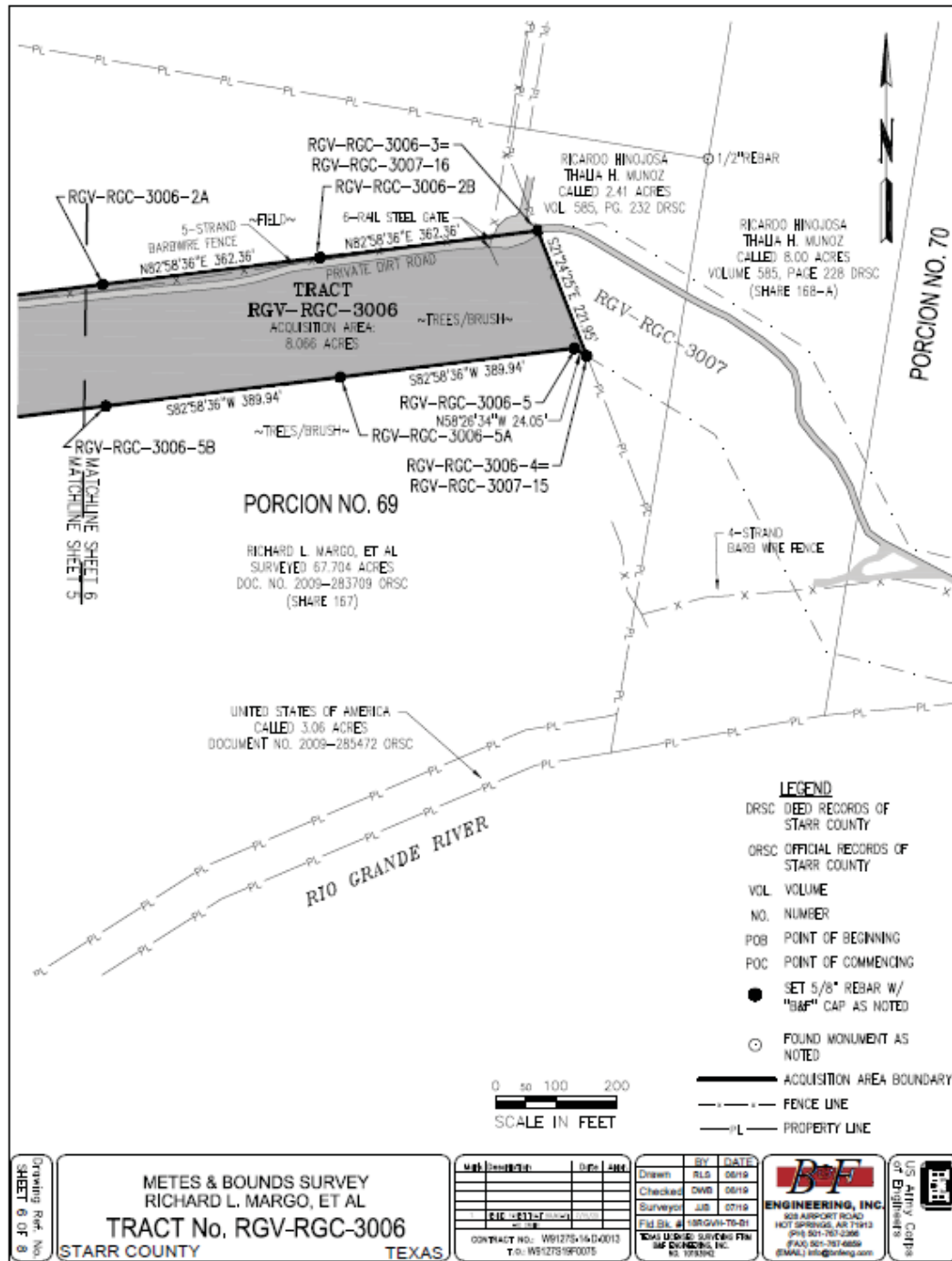
- N 58°26'34" W, a distance of 24.05 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-3006-5" for an angle point;
- S 82°58'36" W, a distance of 389.94 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-3006-5A" for a point on tangent;
- S 82°58'36" W, a distance of 389.94 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-3006-5B" for a point on tangent;
- S 82°58'36" W, a distance of 500.00 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-3006-6" for an angle point;
- N 86°34'59" W, a distance of 515.91 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-3000-19=RGV-RGC-3006-7" for the southwest corner of the herein described proposed acquisition tract, said point being on the west line of said Richard L. Margo, et al tract and the east line of said U.S. Fish and Wildlife Service (Tract 633) tract;

**THENCE:** N 09°25'42" E, along the west line of said Richard L. Margo, et al tract and the east line of said United States of America (Tract 633) tract, a distance of 201.01 feet to the **POINT OF BEGINNING** and containing 8.066 acres (351,373 square feet) of land, more or less.



# **SCHEDULE D**

**SCHEDULE D****MAP or PLAT****LAND TO BE CONDEMNED**

**SCHEDULE D (Cont.)**

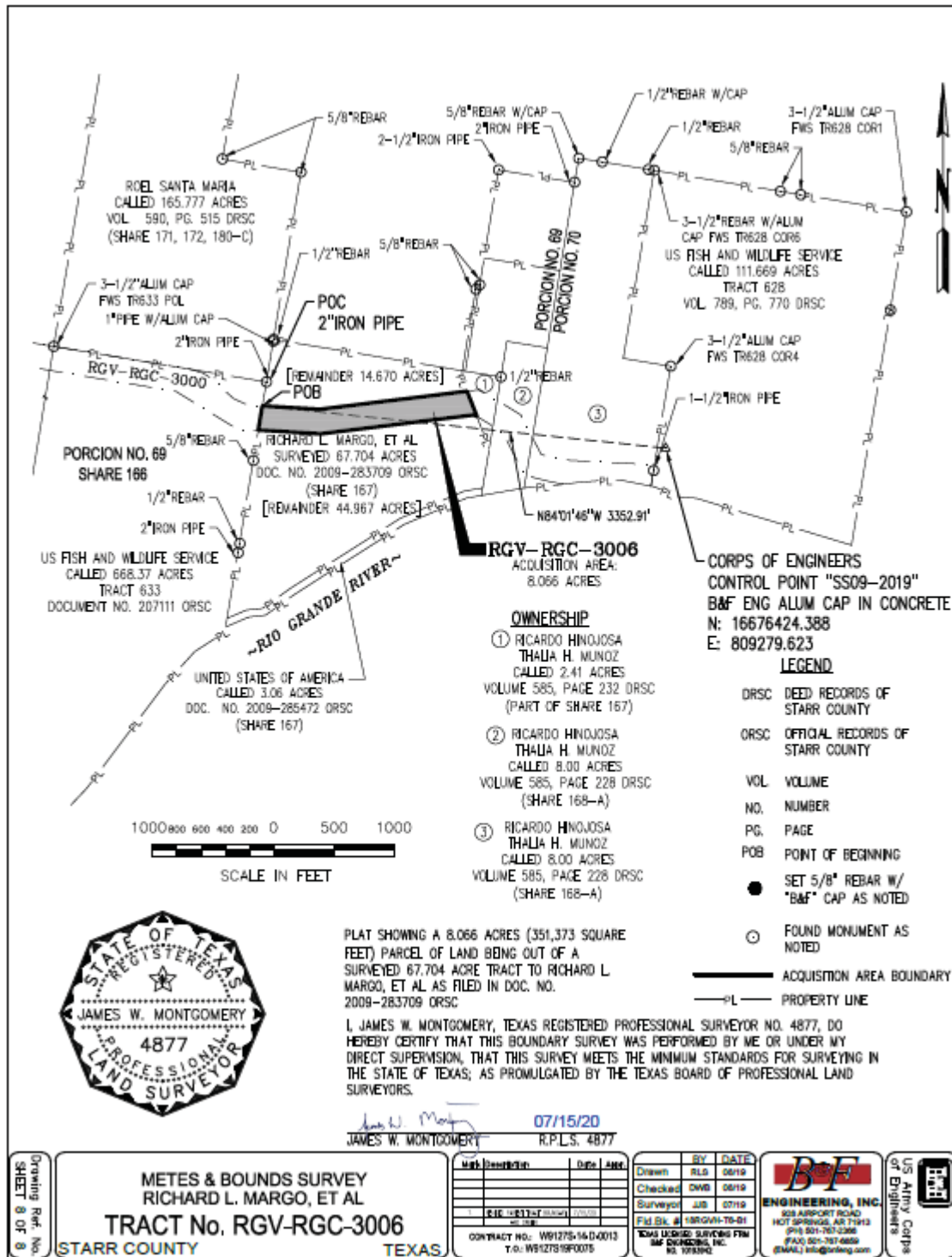
**SCHEDULE D (Cont.)**

| DESCRIPTION                    | NORTHING     | EASTING    |
|--------------------------------|--------------|------------|
| RGV-RGC-3000-18=RGV-RGC-3006-1 | 16676773.155 | 805944.904 |
| RGV-RGC-3006-2                 | 16676744.912 | 805421.205 |
| RGV-RGC-3006-2A                | 16676806.049 | 805917.453 |
| RGV-RGC-3006-2B                | 16676850.356 | 807277.090 |
| RGV-RGC-3006-3=RGV-RGC-3007-16 | 16676894.663 | 807636.727 |
| RGV-RGC-3006-4=RGV-RGC-3007-15 | 16676688.022 | 807717.737 |
| RGV-RGC-3006-5                 | 16676700.607 | 807697.246 |
| RGV-RGC-3006-5A                | 16676652.927 | 807310.233 |
| RGV-RGC-3006-5B                | 16676605.247 | 806923.219 |
| RGV-RGC-3006-6                 | 16676544.110 | 806426.971 |
| RGV-RGC-3000-19=RGV-RGC-3006-7 | 16676574.858 | 805911.975 |

**GENERAL SURVEYOR'S NOTES:**

1. THE BEARINGS, DISTANCES AND COORDINATE VALUES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, REFERENCED TO NAD 83(2011), TX SOUTH ZONE(4205), US SURVEY FEET, USING THE CORS(2011) ADJUSTMENT. THE DISTANCES AND COORDINATES SHOWN HEREON ARE GRID VALUES AND MAY BE CONVERTED TO GROUND (SURFACE) USING THE TxDOT COUNTY PUBLISHED COMBINED SCALE FACTOR OF 1.000040000 (E.G. GRID X 1.000040000 = SURFACE).
2. A SEPARATE METES AND BOUNDS DESCRIPTION OF EQUAL DATE WAS WRITTEN IN CONJUNCTION WITH THIS SURVEY PLAT.
3. THE SQUARE FOOTAGE TOTAL RECITED HEREIN IS BASED ON MATHEMATICAL CALCULATIONS AND SUBJECT TO THE RULES OF ROUNDING AND SIGNIFICANT NUMBERS.
4. THE REMAINING ACREAGE OF THE PARENT TRACT WAS CALCULATED FROM THE RECORDED INSTRUMENTS AND IS NOT BASED ON FIELD DIMENSIONS.
5. FIELD SURVEY WAS COMPLETED IN JULY 2019.
6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
7. B&F ENGINEERING, INC. HAS PROVIDED THESE SURVEY SERVICES TO THE CORPS OF ENGINEERS AS THE PRIME CONSULTANT. THE CORP'S CONTRACTING OFFICER'S REPRESENTATIVE IS STEPHEN CORLEY, RPLS (817) 886-1143.
8. THIS ACQUISITION TRACT LIES INSIDE OF PRIVATE PROPERTY AND DOES NOT CROSS A PUBLIC ROAD, THEREFORE NO UTILITY LOCATE REQUEST HAS BEEN MADE, NOR WAS ANY EVIDENCE OF UTILITIES DISCOVERED IN THE FIELD.

|                                  |   |  |   |  |   |
|----------------------------------|---|--|---|--|---|
| Drawing Ref. No.<br>SHEET 7 OF 8 | METES & BOUNDS SURVEY<br>RICHARD L. MARGO, ET AL<br><b>TRACT No. RGV-RGC-3006</b><br>STARR COUNTY TEXAS |  | Date: 08/31/2020<br>By: RLS<br>Checked: DMB<br>Surveyor: JLS<br>File No.: 19RGVH-70-01<br>Title: METES & BOUNDS SURVEY FOR<br>B&F ENGINEERING, INC. | <b>B&amp;F</b><br><b>ENGINEERING, INC.</b><br>933 AIRPORT ROAD<br>HOT SPRINGS, AR 71913<br>PHN: 501-767-2288<br>FAX: 501-767-4658<br>(EMAIL) info@bmfeng.com |  |
|                                  |   |  | CONTRACT NO.: W91275-16-D-0012<br>T.O.: W91275-16-0005  |  |   |
|                                  |   |  |   |  |   |
|                                  |   |  |   |  |   |

**SCHEDULE D (Cont.)**

Tract: RGV-RGC-3006

Owner: Richard L. Margo, et al.

Acreage: 8.066

# **SCHEDULE E**

**SCHEDULE E**

**ESTATE TAKEN**

Starr County, Texas

Tract: RGV-RGC-3006

Owner: Richard L. Margo, *et al.*

Acres: 8.066

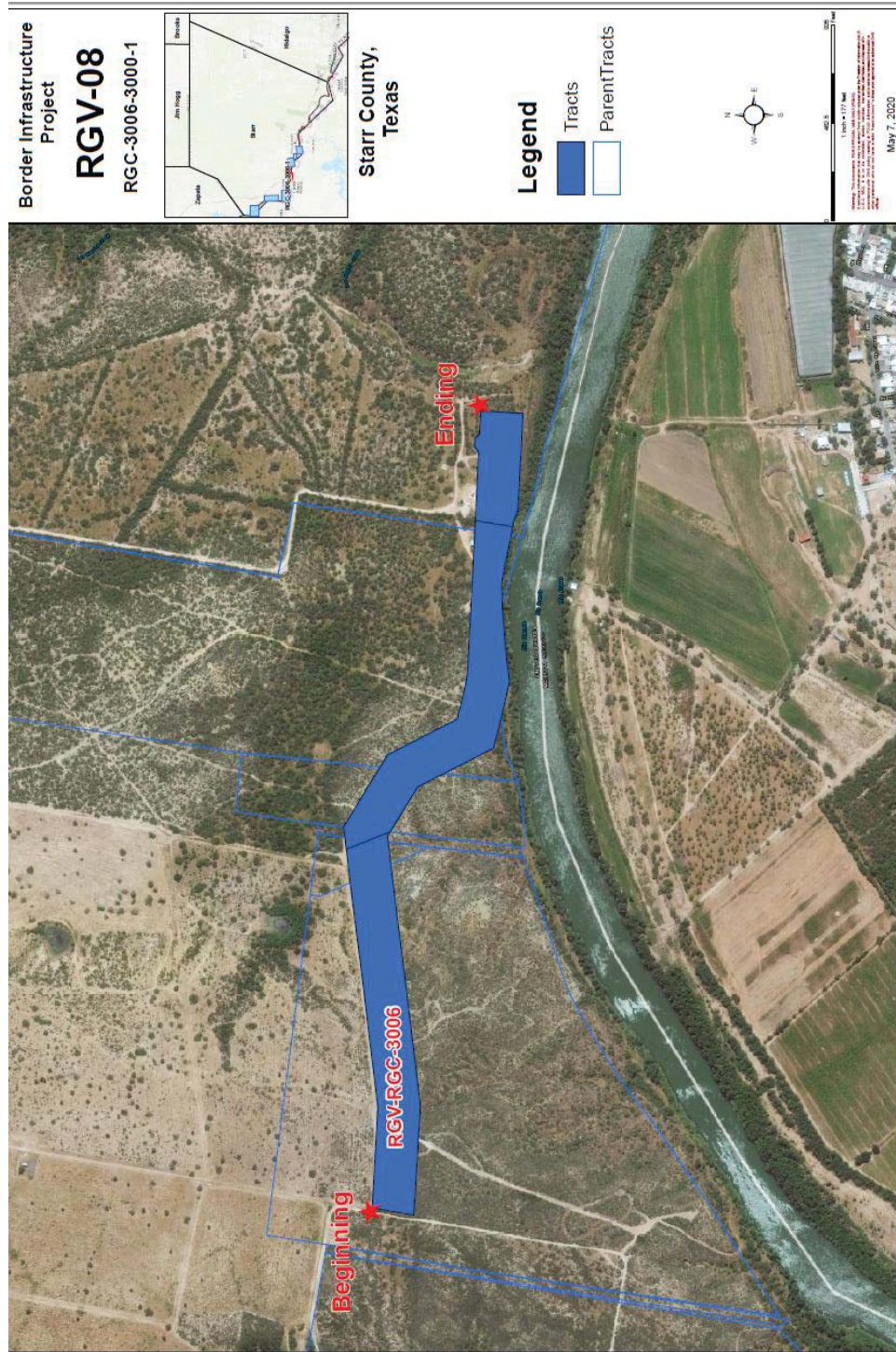
The estate taken is fee simple, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to all interests in minerals and appurtenant rights for exploration, development, production and removal of said minerals;

Reserving to the owners of land identified in conveyance recorded with Deed Records of Starr County (D.R.S.C.), Texas, document number 2009-283709, reasonable access to and from the owners' lands lying between the Rio Grande River and the border barrier through opening(s) or gate(s) in the border barrier between the westernmost mark labeled "Beginning" and easternmost mark labeled "Ending" depicted on the map below;

Excepting and excluding all interests in water rights and water distribution and drainage systems, if any, provided that any surface rights arising from such water rights or systems are subordinated to the United States' construction, operation and maintenance of the border barrier.



**SCHEDULE E (Cont.)**





# **SCHEDULE F**

**SCHEDULE F**

**ESTIMATE OF JUST COMPENSATION**









The sum estimated as just compensation for the land being taken is TWENTY-NINE THOUSAND DOLLARS AND NO/100 (\$29,000.00), to be deposited herewith in the Registry of the Court for the use and benefit of the persons entitled thereto.

# **SCHEDULE G**

**SCHEDULE G****INTERESTED PARTIES**

The following table identifies all persons who have or claim an interest in the property condemned and whose names are now known, indicating the nature of each person's property interest(s) as indicated by references in the public records and any other information available to the United States. *See* Fed. R. Civ. P. 71.1(c).

| Interested Party  | Reference  |
|---|--|
| <b>Richard L. Margo</b><br>[REDACTED]<br>McAllen, Texas 78502   | Special Warranty Deed,<br>Document #2009-283709, Recorded June 23, 2009, Deed Records of Starr County, Texas                 |
| <b>Alfonso E. Margo</b><br>[REDACTED]<br>McAllen, Texas 78503   | Special Warranty Deed,<br>Document #2009-283709,<br>Recorded June 23, 2009,<br>Deed Records of Starr County, Texas           |
| <b>Frederick James Margo</b><br>[REDACTED]<br>Rio Grande City, Texas 78582  | Special Warranty Deed,<br>Document #2009-283709,<br>Recorded June 23, 2009,<br>Deed Records of Starr County, Texas           |
| <b>Virginia Gail Jones</b><br>[REDACTED]<br>Round Rock, Texas 78664   | Special Warranty Deed,<br>Document #2009-283709,<br>Recorded June 23, 2009,<br>Deed Records of Starr County, Texas           |
| <b>Robert Miguel Guerra</b><br>[REDACTED]<br>McAllen, Texas 78501   | Family Settlement Agreement;<br>Document #2007-263872,<br>Recorded February 28, 2007,<br>Deed Records of Starr County, Texas |
| <b>Carlos Antonio Guerra</b><br>[REDACTED]<br>Scottsdale, Arizona 85259   | Family Settlement Agreement;<br>Document #2007-263872,<br>Recorded February 28, 2007,<br>Deed Records of Starr County, Texas |
| <b>Fidencio Miguel Guerra, Jr.</b><br>804 Pecan Blvd., Ste. 11<br>5 <sup>th</sup> Admin. Region<br>McAllen, Texas 78501 | Family Settlement Agreement;<br>Document #2007-263872,<br>Recorded February 28, 2007,<br>Deed Records of Starr County, Texas |

|   |  |
|---|--|
| <b>Brenda E. Guerra Brooke</b><br><br>Austin, Texas 78731    | Family Settlement Agreement;<br>Document #2007-263872,<br>Recorded February 28, 2007,<br>Deed Records of Starr County, Texas         |
| <b>Judith A. Guerra Arnold</b><br><br>McAllen, Texas 78501   | Family Settlement Agreement;<br>Document #2007-263872,<br>Recorded February 28, 2007,<br>Deed Records of Starr County, Texas         |
| <b>Daniel Joseph Guerra</b><br><br>McAllen, Texas 78501      | Family Settlement Agreement;<br>Document #2007-263872,<br>Recorded February 28, 2007,<br>Deed Records of Starr County, Texas         |
| <b>Marilyn M. Flores</b><br><br>San Antonio, Texas 78261     | Bexar County, Texas, Probate Court<br>Order, Document #2016-329856,<br>Recorded May 18, 2016, Deed Records of<br>Starr County, Texas |
| <b>Andrew E. Trombley</b><br><br>Odem, Texas 78370           | Bexar County, Texas, Probate Court<br>Order, Document #2016-329856,<br>Recorded May 18, 2016, Deed Records of<br>Starr County, Texas |
| <b>Lawrence L. Trombley</b><br><br>Palmer, Alaska 99645    | Bexar County, Texas, Probate Court<br>Order, Document #2016-329856,<br>Recorded May 18, 2016, Deed Records of<br>Starr County, Texas |
| <b>Eva Marie Trombley Fowler</b><br><br>Hondo, Texas 78861 | Bexar County, Texas, Probate Court<br>Order, Document #2016-329856,<br>Recorded May 18, 2016, Deed Records of<br>Starr County, Texas |
| <b>Robert James Margo</b><br><br>San Antonio, Texas 78268  | Bexar County, Texas, Probate Court<br>Order, Document #2016-329856,<br>Recorded May 18, 2016, Deed Records of<br>Starr County, Texas |
| <b>Ameida Salinas</b><br><b>Starr County Tax Assessor-Collector</b><br>100 North FM 3167, Room 201<br>Rio Grande City, Texas 78582            | <b>Tax Authority</b>   |